IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6875 OF 2005

Kaushik Kisan Pawar ...Applicant

Versus

The State of Maharashtra ...Respondent

Shri A.S.Shitole, A.P.P for the Respondent.

CORAM : A. S. OKA, J.

DATE : DECEMBER 19, 2006.

P.C.:

1. The Advocate appointed to espouse the cause of the Applicant is absent. As directed by this court, papers of the Criminal Appeal No.383 of 2004 are produced alongwith this Application.

2. It appears that in Regular Criminal Case No.06 of 2003, by Judgment and Order dated 19th December, 2006, the learned Judicial Magistrate First Class convicted the Applicant. The accused No.2 was acquitted for offence punishable under section 411 of the Indian Penal Code. The grievance of the Applicant is that Criminal Appeal No.43 of 2004 filed by him against the order of conviction is pending in the Sessions Court at Ratnagiri and the said Appeal is not

being heard as the Record and Proceedings of the case is received by this court in Criminal Appeal No.383 of 2004 (Appeal against acquittal preferred by the State).

3. The Registrar (Judicial I) will verify whether Criminal Appeal No.43 of 2004 filed by the Applicant against the order of conviction passed by the learned Judicial Magistrate First Class at Devrukh in Regular Criminal Case No.06 of 2003 is pending in the court of Sessions at Ratnagiri. If the Appeal is still pending, the Registrar (Judicial I) will forthwith direct the office to send the Record and Proceedings of Regular Criminal Case No.06 of 2003 to the concerned court at Ratnagiri before which the Criminal Appeal No.43 of 2004 is pending with a direction to that court to return the record immediately after disposal of the Appeal.

4. With these directions, Application is disposed of.

JUDGE